

STATE OF CALIFORNIA

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

To request a Time Extension (TE) or Alternative Diversion Requirement (ADR), please complete and sign this form and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance, (MS 25)
1001 I Street
PO Box 4025
Sacramento CA 95812-4025

General Instructions:


For a Time Extension complete Sections I, II, III-A, IV-A, and V.

For an Alternative Diversion Requirement complete Sections I, II, III-B, IV-B and V.

Section I: Jurisdiction Information and Certification

All respondents must complete this section.

I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:

Jurisdiction Name BUTTE REGIONAL WASTE MANAGEMENT AUTHORITY		County Butte County	
Authorized Signature 		Title Director, Department of Public Works	
Type/Print Name of Person Signing Mike Crump	Date 4/8/03	Phone (530) 538-7681	
Person Completing This Form (please print or type) Jim Greco		Title Owner/Principal California Waste Associates	
Phone (916)933-2327	E-mail Address jgwaste@aol.com		Fax (916)933-3157
Mailing Address P. O. Box 5177	City El Dorado Hills	State CA	ZIP Code 95762

Section II—Cover Sheet

This cover sheet is to be completed for each Time Extension (TE) or Alternative Diversion Requirement (ADR) requested.

1. Eligibility

Has your jurisdiction filed its Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element with the Board (must have been filed by July 1, 1998 if you are requesting an ADR)?

☐ No. If no, stop; not eligible for a TE or ADR.

☒ Yes. If yes, then eligible for a TE or ADR.

2. Specific Request and Length of Request

Please specify the request desired.

☒ **Time Extension Request**

Specific years requested 2003, 2004, 2005 through December 31, 2005

Is this a second request? ☒ No ☐ Yes Specific years requested. _____
(Note: Requests for an additional extension will need to address why the jurisdiction's efforts to meet the 50% goal by the end of the first extension were not successful.)

☐ **Alternative Diversion Requirement Request (Not allowed for Regional Agencies).**

Specific ADR requested _____%, for the years _____.

Is this a second ADR request? ☐ No ☐ Yes Specific ADR requested _____%, for the years _____.

(Note: Requests for an additional ADR will need to address why the jurisdiction's efforts to meet 50% by the end of the first ADR period were not successful.)

Note: Extensions may be requested anytime by a jurisdiction, but will only be effective in the years from January 1, 2000 to January 1, 2006. An original request for a TE/ADR may be granted for any period up to three years and subsequent requests for TE/ADR may extend the original request or be based on new circumstances but the total number of years for all requests cannot total more than five years or extend beyond January 1, 2006.

Section IIIA—TIME EXTENSION

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's progress in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIA-1).

- 1. Why does your jurisdiction need more time to meet the 50% goal? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.**

The Butte Regional Waste Management Authority (BRWMA) is requesting a time extension for meeting the 50% diversion goal in order to better assess the effectiveness of selected diversion programs and to develop and implement additional diversion programs. Initially planned facility-based diversion programs were adversely affected by an inability to control the flow of waste collected by private companies within the regional agency's member jurisdictions. Development efforts included difficult negotiations with the 2 major solid waste collection companies on both a countywide non-exclusive franchise as well as dividing the County into 2 separate exclusive franchise areas. Unfortunately, the County was unable to come to a mutually agreeable solution with the companies. This effort consumed more than 3 years and affected implementation of programs to strive for the 50% goal. The development of the flow control ordinance was the basis for developing a funding mechanism for diversion program implementation (e.g., a composting facility and/or MRF at the Neal Road LF).

The County Public Works Department provides staffing support to the BRWMA. During late 2002 and early 2003, the Department experienced a reduction in staffing. The County is currently recruiting for a new recycling coordinator, solid waste manager, and support staff.

Additionally, the Regional Agency is requesting a time extension in order to assess the accuracy of its base year waste generation, ascertain more accurate diversion performance, and develop a composting facility to target certain components of the generated waste stream, namely: yard waste, food waste, and other processable organics. This facility will require approximately 3 years to site, design, undergo environmental review, complete the permitting process, be constructed, and commence operation.

Additionally, although there exists urban areas within the county, the county exhibits the characteristics of a rural area yet the population threshold for a rural county is barely exceeded. This precludes the county from being considered a rural county and considering a reduced rural goal. Furthermore, the regional agency is not eligible under SB 1066 for an alternative diversion requirement. The requested time extension will allow BRWMA staff to develop and implement these activities during the remainder of this year through 2005.

- 2. Why does your jurisdiction need the amount of time requested? Describe any relevant circumstances in the jurisdiction that contribute to the need for a Time Extension.**

A new County Solid Waste Manager and Recycling Coordinator will be hired in 2003. Training and familiarity with existing programs and procedures will commence immediately after hiring. The POC program development, implementation, and monitoring are expected to occur during the remainder of this year (2003), during 2004, and in 2005. Some of these activities also necessitates lead time beyond initial planning.

The proposed "plan of correction" will require a timeline for:

- * implementing the reporting requirements for the recently passed "flow control and diversion requirement" ordinance and amending the ordinance by increasing the hauler diversion requirement from 15% to 20% (by 7/1/04);
- * implementing a clean yard waste composting project (by 12/31/05). Anticipated timeline includes: completing a feasibility study for the mixed organics component of the composting facility by 9/30/03; confirming expected materials flow and financing approach by 3/31/04; completing environmental review and permitting by 9/30/04; completing preliminary design by 12/31/04; construction by 9/30/05; facility testing and operations by 12/31/05.
- * improving the effectiveness of existing diversion programs at the Neal Road Landfill (by 6/30/04);
- * researching the feasibility of a C&D recycling program targeting wastes at construction projects (by 12/31/03).

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

The BRWMA has taken the following steps to increase its ability to realize a 50% diversion goal:

- (a) the County Board of Supervisors on February 11, 2003 enacted Ordinance No. 3844. It requires the solid waste haulers to deliver all solid waste collected to a facility owned by the County and designated by the County's Solid Waste Manager. The ordinance also includes a requirement that solid waste collection companies divert at least 15% of the solid waste they collect.
- (b) the Department of Public Works (DPW) plans to expand staffing resources in 2003;
- (c) the DPW contracted with Integrated Recycling, Inc. (IRI) to prepare a waste diversion program analysis with recommended options. A 2nd draft of the report was prepared in late February and forwarded to the responsible CIWMB staff person for Butte County. The options report addressed a county-sponsored composting facility to be assessed in two stages: Stage 1 for clean green vegetative waste; and Stage 2 for the mixed organic waste stream. A subsequent study will assess of the feasibility of a MRF as a possible contingent program, if needed to increased diversion levels.
- (d) the DPW contracted with California Waste Associates (CWA) to assist the BRWMA with the preparation of this SB 1066 time extension request and recommendations for implementing a "plan of correction" to increase diversion;
- (e) from 1997 through 2000, the County, on behalf of the BRWMA, documented diversion from numerous sources to better quantify diversion performance within the County unincorporated area, the City of Biggs, and the Town of Paradise. This effort enabled the County to interact with a number of responsible parties involved in diversion activities.
- (f) the BRWMA is considering plans to conduct a waste characterization study to identify and confirm the amount and type of materials being disposed, which offer the potential to be diverted;

4. Provide any additional relevant information that supports the request.

- (a) The BRWMA has added the City of Gridley as a new member of the regional agency. The City has expanded some of its diversion programs. Additionally, the Town of Paradise (a current BRWMA member) recently doubled the number of households receiving yard waste collection service. The BRWMA is also interested in working with the cities of Chico and Oroville to explore the feasibility of establishing a countywide regional agency. All jurisdictions exhibit similar demographics, diversion program selection and implementation, solid waste management services, and utilize similar solid waste service providers.
- (b) The BRWMA is interested in working with CIWMB staff to select the most effective diversion programs.
- (c) The generation-based diversion quantification efforts have identified a number of businesses which are implementing diversion programs.

Section IIIB—ALTERNATIVE DIVERSION REQUIREMENT

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's efforts in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIB-1.).

1. Why does your jurisdiction need an Alternative Diversion Requirement? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.

Not Applicable (N/A)

2. Why is your jurisdiction requesting an Alternative Diversion Requirement in lieu of a Time Extension?

N/A

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

N/A

4. Describe any relevant circumstances in the jurisdiction that contribute to the need for an ADR. Provide any relevant information that supports the request.

N/A

Section IV A—PLAN OF CORRECTION

A Plan of Correction is required by PRC Section 41820(a)(6)(B). The plan is fundamentally a description of the actions the jurisdiction will take to meet the 50% goal by the expiration of the Time Extension.

Attach additional sheets if necessary.

Residential %		67%	Non-residential %		33%
PROGRAM TYPE Please use the Board's Program Types. The Program Glossary is online at: www.ciwmb.ca.gov/ LGCentral/PARIS/Codes/ Reduce.htm	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
7030 Composting Facility	New	The BRWMA is assessing the quantity of compostable material in the generated waste stream. An options analysis is underway by IRI. The project is comprised of two waste streams (clean yard waste and mixed organics). This composting project is Phase I of the development of additional new facilities for increasing diversion. Implementation of this project is expected to divert an additional 21,757 tons.	Gate Fees	12/31/05	11.70%
6020 Ordinances	Expand	The County plans to amend Section 31-35 of Ordinance No. 3844 to increase the licensed collector requirement to divert materials from disposal from 15% to 20%. This will yield additional diversion through commercial on-site recyclables collection, residential curbside recyclables collection, yard waste collection, and increased recycling at buyback centers and drop-off centers - depending upon the collectors' programs of choice. The Town of Paradise already has a 25% reqt in its ordinance. (4,707 tons).	Service Rates	7/1/04	2.53%
2030 Commercial Onsite Pickup	Expand	Please see 6020 program description above.	Collection Rates	12/31/04	Above
2000 Residential Curbside Collection	Expand	Please see 6020 program description above.	Collection Rates	12/31/04	Above
2020 Buyback Centers	Expand	Please see 6020 program description above.	Rates	12/31/04	Above
2010 Drop-Off centers	Expand	Please see 6020 program description above.	Rates	12/31/04	Above
Total Estimated Diversion Percent From Now and/or Expanded Programs					14.23%
Current Diversion Rate Percent From Latest Annual Report					38.64%
Total Planned Diversion Percent Estimated					52.87%

PROGRAMS SUPPORTING DIVERSION ACTIVITIES			
PROGRAM TYPE	NEW or EXPANDED	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED
7000 MRF Studies	New	The BRWMA is planning to quantify the amount of recyclable materials in the generated waste stream. A diversion options analysis is underway by IRI. Implementation of a Phase II MRF contingency project is expected to divert additional tonnage if the selected composting options do not enable the BRWMA to achieve 50%.	6/30/04
5020 Outreach Education/Technical Assistance	New	Fund in 2003 a mixed organics composting feasibility study to identify the potential quantities of compostable material (vegetative waste, food waste, other organics) and processing options and facility concepts. This will support the green waste collection and composting facility operational programs.	9/30/03
5010 Education/Print	New	Print new materials, newspaper articles, announcements, and flyers will be used to promote awareness of expanded recyclables collection and drop-off opportunities and needs. Implement recordkeeping, reporting, and education program to enhance awareness and emphasis to purchase products with recycled content.	12/31/03
5020 Education/Audits	New	Implement Ordinance No. 3844 to enhance commercial collector and business onsite recycling activities discovered through the generation-based diversion quantification effort.	12/31/03 and ongoing thereafter
5020 Education Outreach/Awards Programs	Expand	Promote WRAP to business community through print materials and presentations and meetings with business groups like trade associations, business groups, and chambers of commerce.	6/30/03 and ongoing thereafter
5020 Outreach Education/Technical Assistance	New	Consider the desirability of conducting a Waste Characterization Study to better identify potential recyclables now being landfilled. This will support the feasibility of a mixed organics composting facility and provide input regarding the cost-effectiveness of a new mixed waste MRF.	9/30/03
6030 Ordinances	New	The regional agency plans to evaluate the feasibility of a construction and demolition debris recycling ordinance, which requires building contractors to develop and implement recycling activities. The BRWMA will contact and survey other jurisdictions with ordinances and assess the feasibility of adopting an ordinance by its member jurisdictions.	12/31/03

Section IV B—GOAL ACHIEVEMENT

Goal Achievement describes the activities the jurisdiction will use to achieve the ADR.

Attach additional sheets if necessary..

Residential %		N/A	Non-residential %		N/A	
PROGRAM TYPE	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION	
Please use the Board's Program Types. The Program Glossary is online at: www.ciwmb.ca.gov/LG/Contral/PARIS/Codes/Reduce.htm						
N/A	N/A	N/A	N/A	N/A	N/A	
		Total Estimated Diversion Percent From New and/or Expanded Programs				
		Current Diversion Rate Porcent From Latest Annual Report				
		Total Planned Diversion Percent Estimated				

PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	NEW or EXPAND	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED

Section V – PARIS

Office of Local Assistance staff will be reviewing your Jurisdiction's Planning Annual Report Information System (PARIS) database printout as part of the evaluation of your request. Should the Jurisdiction have updates or revisions to the program implementation from the latest Annual Report submitted to the Board, please attach to the application the Jurisdiction's PARIS database printout showing updates or revisions.

Contact your Office of Local Assistance Representative at (916) 341-6199 for a copy of PARIS, or go to the Board's website at www.ciwmb.ca.gov/LGCentral/PARIS/.

**BUTTE REGIONAL WASTE MANAGEMENT AUTHORITY
Butte County, California**

Resolution No. 03 - 01

**A RESOLUTION BY THE BUTTE REGIONAL WASTE MANAGEMENT
AUTHORITY BOARD OF DIRECTORS TO REQUEST A SB 1066 TIME EXTENSION
FROM THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

WHEREAS, the Integrated Waste Management Act of 1989 (AB 939) is codified in Division 30 of Title 14 of the Public Resources Code (PRC); and

WHEREAS, the California Integrated Waste Management Board (CIWMB) is identified as the primary responsible agency for AB 939 in Chapter 3 of Division 30 of the PRC; and

WHEREAS, PRC Section 40970 allows cities and counties to form regional agencies for purposes related to compliance by individual cities and counties with the requirements of AB 939; and

WHEREAS, PRC Sections 41000 and 41300 require cities and counties to prepare and adopt a source reduction and recycling element (SRRE); and

WHEREAS, PRC Section 41780 requires each city and county SRRE to include an implementation schedule which shows how the city or county shall divert 50% of all solid waste on after January 1, 2000, through source reduction, recycling, and composting activities; and

WHEREAS, PRC 41820 allows the CIWMB to grant one or more, single or multiyear time extension from the requirements of PRC 41780 to any regional agency if the following conditions are met:

- (1) Any multiyear extension that is granted does not exceed three years and a regional agency is not granted extensions that exceed a total of five years; and
- (2) No extension is granted for any period after January 1, 2006, and no extension is effective after January 1, 2006; and
- (3) No regional agency is granted an extension if that regional agency failed to meet the applicable requirements of Chapter 2 (city SRRE), Chapter 3 (county SRRE), Chapter 3.5 (city and county household hazardous waste elements), and Chapter 4.5 (city and county nondisposal facility elements); and
- (4) The CIWMB adopts written findings, based upon substantial evidence in the record as follows:

- (A) The regional agency is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its SRRE; and
- (B) The regional agency submits a plan of correction that demonstrates that the regional agency will meet the 50% goal before the time extension expires, includes the steps to be implemented by the regional agency, existing programs it will modify, any new programs that will be implemented to meet the goal, and the means by which these programs will be funded.

WHEREAS, the Butte Regional Waste Management Authority (BRWMA) formed a regional agency in conformance with PRC 40970 and Chapter 5 (commencing with Section 6500) of the Government Code, which was approved by the member jurisdictions in December 1999 and January 2000 and approved by the CIWMB on September 19-20, 2000; and

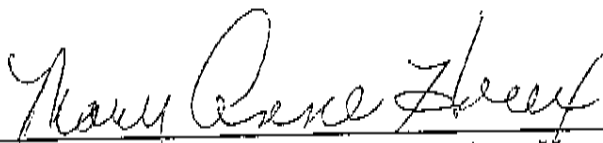
WHEREAS, the preliminary measurement of the BRWMA diversion rate for 2000 is less than 50% by at least 10 percentage points; and

WHEREAS, the Coordinating Agent for the BRWMA is the County of Butte.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BRWMA that the member jurisdictions hereby agree that the Coordinating Agent:

- (1) Will work with the member jurisdictions to develop and finalize a plan of correction for inclusion in a SB 1066 time extension request to the CIWMB; and
- (2) Will submit a SB 1066 time extension request in accordance with the applicable requirements of the PRC, as specified by the CIWMB; and
- (3) Will distribute a copy of the SB 1066 time extension request to all member jurisdictions of the BRWMA.

IN WITNESS WHEREOF the parties hereto have executed this agreement on the dates set forth below.



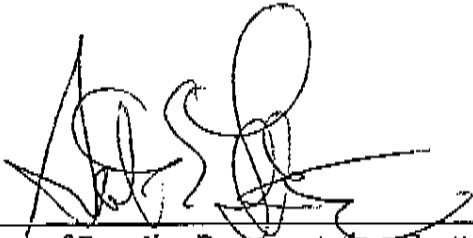
Butte County Representative, Mary Anne Houx
Director, Butte Regional Waste Management Authority

Date: 3-21-03



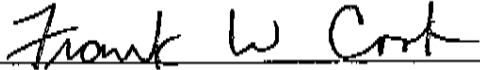
City of Biggs Alternate Representative, Roger David
Director, Butte Regional Waste Management Authority

Date: 3-21-05



Town of Paradise Representative, Scott Lotter
Director, Butte Regional Waste Management Authority

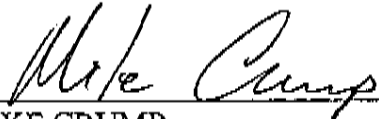
Date: 3-21-03



City of Gridley, Representative, ~~Jack Sleta~~ FRANK W COOK
Director, Butte Regional Waste Management Authority

Date: 3-21-03

ATTEST:



3/21/03

MIKE CRUMP
Director of Public Works
and Coordinating Agent, Butte Regional Waste Management Authority